

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
CHARLES RAMPINO,)	
Petitioner,)	
)	
v.)	Civil Action No. 04-12033-PBS
)	
BERNARD BRADY,)	
Respondent.)	
_____)	

MOTION FOR ENLARGEMENT OF TIME
TO FILE RESPONSIVE PLEADING TO PETITION FOR HABEAS CORPUS

Respondent, through counsel, respectfully requests that this Court enlarge the time to file an answer or other responsive pleading and to extend the deadline to file such a pleading to December 7, 2004. In support thereof, respondent states that:

1. Pursuant to this Court's order of October 12, 2004, an answer or responsive pleading is due on November 4, 2004.

2. That order also requests that respondent submit state court record documents reflecting whether petitioner has exhausted the state court remedies available to him to raise the claims presented in this petition.

3. Respondent has requested, but not yet received, the relevant state court record documents.

4. Respondent thus requires a brief additional time to obtain the relevant documents and to prepare an appropriate responsive pleading.

5. Respondent has not requested any other extensions of time in this action.

For these reasons, respondent respectfully requests that this motion be allowed, and that the time to file an answer or other responsive pleading be extended to December 7, 2004.

Respectfully submitted,

THOMAS F. REILLY
ATTORNEY GENERAL

/s/ David M. Lieber

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ATTORNEYS FOR RESPONDENT

Dated: October 19, 2004